

In section 2 on pages 2-3 of the Office Action, the examiner proposes to "add" the magnetic second hollow cylindrical member 32 disclosed by Murkens to the ball like portion 1 forming part of the Hall locator in order that the ball like portion 1 "can stably locate holes in vertical surfaces." The Hall patent, however, already discloses various ways in which the ball like portion may be stably located or clamped solidly in place. Lines 16-19 in column 2 of the Hall patent, for example, provide that there is a recess 6 by which the device may be held by a clamp. The Hall patent further contemplates using a threaded element (see column 2, lines 21-24), a screw and washer (see column 3, lines 68-70 and column 4, lines 6-10), and a strap (see column 4, lines 11-21) to secure the ball like portion in place. The addition proposed by the Examiner, therefore, duplicates an already existing function and is unnecessary.

The Examiner's proposal to arbitrarily add the second hollow cylindrical member 32 of the Murkens permanent magnet assembly 33 to the ball like portion 1 of the Hall locator is inappropriate. Lines 32-40 in column 2 of the Murkens patent provide that the Murkens permanent magnet assembly 33 includes a first hollow cylindrical member 31 and a permanent central magnet 34 as well as the second hollow cylindrical member 32 referred to by the Examiner. Nothing properly relied on by the Examiner suggests separating member 32 from member 31 and magnet

34 and adding only that member 32, in the manner proposed, to the ball like portion 1 of the Hall locator.

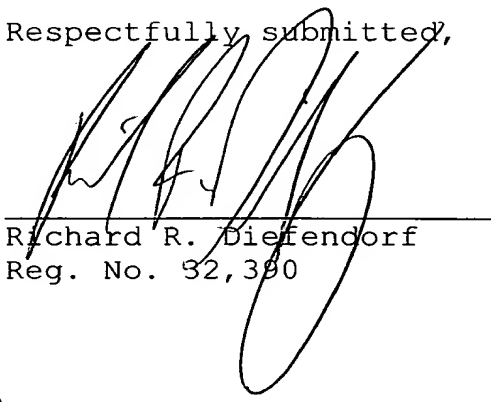
Finally, nothing in the Murkens patent disclosure suggests that member 32, member 31, or magnet 34 is suitable to determine the position or size of a hole in a vertical surface.

For reasons set forth above, it is respectfully submitted that the modification to the locator forming the subject matter of the Hall patent proposed by the Examiner in section 2 on pages 2-3 of the Office Action is inappropriate, and that the rejection of claims 1, 3, 4, and 6 should be withdrawn. The rejection of claims 5 and 8-10 set forth in section 3 on page 3 of the Office Action relies on the same proposed modification to the Hall locator and should also be withdrawn.

This application is presently in condition for allowance. Should the Examiner have any questions after considering this Reply, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

Date: October 16, 2003


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